

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION

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DENNIS J. RICHARDS	:	CASE NO. 4:04 CV 2127
	Plaintiff	:
-vs-		:
UNUM LIFE INSURANCE COMPANY OF AMERICA	:	<u>MEMORANDUM OF OPINION AND</u> <u>ORDER ADOPTING REPORT AND</u> <u>RECOMMENDATION AND GRANTING</u> <u>PLAINTIFF'S MOTION TO REMAND</u>
	Defendant	

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UNITED STATES DISTRICT JUDGE LESLEY WELLS

This case is before the Court on plaintiff's motion to remand the case to state court (Doc. #59) filed on behalf of Dennis J. Richards. The Court referred this matter to United States Magistrate Judge Nancy A. Vecchiarelli for a report and recommendation ("R&R"). Magistrate Judge Vecchiarelli filed her R&R decision on 20 February 2009, recommending that the court should remand this case to state court for further proceedings and dismiss Richards' motion to strike UNUM's opposition as moot.

Neither party has objected to the Magistrate Judge's report and recommended decision. Therefore, the Court will assume the parties are satisfied with the Report's conclusion. Any further review by this Court would be a duplicative and inefficient use of the Court's limited resources. Thomas v. Arn, 474 U.S. 140 (1985); Howard v.

Secretary of Health and Human Services, 932 F.2d 505 (6th Cir. 1991); United States v. Walters, 638 F.2d 947 (6th Cir. 1981).

Accordingly, the Magistrate Judge's report and recommended decision is adopted and the case will be remanded to the Mahoning County Court of Common Pleas.

IT IS SO ORDERED.

/s/Lesley Wells  
UNITED STATES DISTRICT JUDGE

Dated: 10 March 2009